

Dr. Orly Taitz, ESQ

29839 Santa Margarita, ste 100

Rancho Santa Margarita, CA 92688

United States District Court
Southern District of Texas
FILED

MAR 25 2015

US DISTRICT COURT

David J. Bradley, Clerk of Court

SOUTHERN DISTRICT OF TEXAS

Dr. Orly Taitz. ESQ

v

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B-15-54

John Koskinen, in his official capacity as a

Commissioner of IRS,

Carolyn Colvin in her official capacity as an

acting commissioner of the SSA,

Jeh Johnson, in his official capacity as the

Secretary of Homeland Security;

Barack Obama, aka Barack Obama Soebarkah,

aka Barry Soetoro, in his official capacity as the

President of the United States and personally;

John Does, engaged in theft of Social Security

numbers and other IDs;

Jane Does,

members of the newly formed class of detainees)

formed as a result of L-R v Johnson 15-cv-11;)

DHS detention facilities in Southern Texas,)

where Jane Doe defendants are housed)

PETITION FOR STAY/ MOTION FOR INJUNCTION

**(plaintiff is seeking a stay/emergency injunction with the motion at hand,
she intends to submit a full complaint at a later date)**

Jurisdiction and Venue

This court has jurisdiction as federal employees are defendants, the case seeks adjudication under federal statutes, there is a diversity of citizenship and John Does defendants, illegal aliens, are believed to be located in the Southern District of Texas. This case is related to 14-cv-0119 Taitz v Johnson, Southern District of Texas, Judge Andrew Hanen Presiding.

Parties

Dr. Orly Taitz, ESQ, plaintiff, victim of identity theft. Identity theft was committed when a fraudulent request for tax refund was requested using a stolen Social Security number belonging to Taitz .

John Koskinen, Commissioner of IRS, defendant. IRS under the directions of Commissioner of IRS refuses to provide victims of identity theft with fraudulent tax returns and fraudulent requests of tax refunds submitted by identity thieves using victims' Social Security numbers. Koskinen is a resident of Washington DC.

Caroline Colvin, Acting Commissioner of Social Security, defendant. Colvin refuses to provide paper SS-5s, applications for Social Security numbers (SSNs), when computer records are shown to be fraudulently deleted or falsified by

SSA employees and other individuals who are complicit in identity theft and use of stolen SSNs.

President Barack Hussein Obama, aka Barack Obama Soebarkah, aka Barry Soetoro, resident of Washington DC, who sets the federal policy of IRS, SSA, DHS and other agencies in aiding and abetting in aggravated identity theft and who is personally engaged in identity theft using a stolen CT SSN xxx-xx-4425 as his primary ID and using other forged IDs. (Hereinafter "Obama") He is sued both in his official capacity and as an individual and his correct legal name and identity to be definitively established upon discovery.

Jeh Johnson, Commissioner of the Department of Homeland Security, resident of Washington DC, who is following the policies of Barack Obama, who is engaged in policies of granting bogs asylum and refugee status to individuals who are not legally entitled to such status.

John Doe defendants are individuals who are engaged in identity theft and who are aided and abetted by the IRS and SSA. Legal names of John Does are to be established during discovery.

Jane Does are illegal aliens, who are fraudulently claiming asylum and refugee status eligibility. Legal names of Jane Does to be established upon discovery.

DHS facilities are facilities, mostly in Southern Texas, which house illegal aliens, who are fraudulently claiming refugee and asylum status. Names of all the detention facilities involved to be provided upon discovery.

STATEMENT OF FACTS

I. STATEMENT OF FACTS IN RELATION TO IDENTITY THEFT AND USE OF STOLEN SOCIAL SECURITY NUMBERS, INCLUDING USE OF A STOLEN CONNECTICUT SOCIAL SECURITY NUMBER XXX-XX-4425 BY PRESIDENT BARACK OBAMA, AKA BARACK OBAMA SOEBARKAH, AKA BARRY SOETORO

1. Multiple illegal aliens have crossed the US border in Rio Grande-Brownsville area. Among them suspected members of drug cartels, members of organized crime and child molesters.
2. Many of illegal aliens are using stolen identities, stolen Social Security numbers.
3. Multiple Individuals had their identity and Social Security numbers stolen.
4. Plaintiff herein, had her identity stolen. Plaintiff received a letter from IRS (Exhibit 24 Redacted Letter from IRS) stating:

"Orly Taitz..."

Dear Taxpayer...We sent this refund to you in error because there was an issue of identity theft on your account"

5. Plaintiff is seeking a court approval of a class of plaintiffs, who are similarly situated and are victims of identity theft.
6. Taitz contacted IRS and was told that a fraudulent tax return and request for a refund was sent by another individual using her Social Security number. This individual provided a bank account number for IRS to send the refund.

7. Taitz requested a copy of the bogus tax return, so that based on the bank account and signature, she could identify the thief who stole her identity and ascertain how this individual obtained her information and the full extent of the theft and seek legal redress of grievances.

8. IRS representative advised Taitz that there are multiple victims like her, however according to the policies of the Commissioner of IRS, victims are prevented from receiving copies of the fraudulent tax returns filed by thieves who are using victims' Social Security numbers.

9. At the same time Taitz read reports of US attorneys in multiple states refusing to prosecute criminals, mostly illegal aliens, who are using stolen Social Security numbers.

Daily Caller reports:"US Attorneys declined to prosecute illegal aliens accused of using the Social Security numbers of dead people in order to work.

That finding is contained in a footnote in a recent audit released by the Social Security Administration's office of the inspector general.

"In three cases, [the Social Security Administration's Office of Investigators] confirmed that illegal aliens were using deceased numberholders' names and SSNs

to work," the footnote reads. "But U.S. Attorneys in Arizona, Florida, and South Carolina declined prosecution."

The fraudulent use of a Social Security number is a federal felony. The same is true for illegal aliens applying for work in the U.S.

Overall, the audit found over 6.5 million Social Security numbers for people over the age of 112 with no death records listed in a database called the Numident. Administration files were clearly not being updated properly, the inspector general determined, as it is believed that only a few hundred people 112 years or older are still alive in the U.S." <http://dailycaller.com/2015/03/10/us-attorneys-declined-prosecution-against-illegal-aliens-who-used-social-security-numbers-of-dead-people/>

Taitz believes that such policies of non-prosecution of identity theft are coordinated and are coming from President Obama and such policies encourage even bigger identity theft.

10. On March 19, 2015, NPR published a report by the Office of the Inspector General (OIG) of Social Security Administration (Exhibit 25), which shows massive identity fraud and misuse of Social Security numbers. The most

staggering revelation by the OIG is that there are 6.5 million Social Security numbers of individuals 112 years or older, being still listed as alive in SSA records. There are only 40 individuals worldwide, who are 112 years old or older.

11. One of the individuals, who is using a stolen Social Security number of an individual over 112, is the President of the United States, Barack Hussein Obama, aka Barack Obama Soebarkah, aka Barry Soetoro. Obama is using a Connecticut Social Security number xxx-xx-4425, which was issued to a resident of Connecticut born in 1890, two hundred twenty five years ago, who is presumed to be deceased with no direct heirs.

12. Exhibits 1-23 show evidence of Obama's use of a stolen Connecticut Social Security number and fabricated IDs. Documents were redacted . Unredacted version is being submitted under seal.

13. On April 15, 2010, at 11:15:29 am, Barack Obama posted on official web site www.whitehouse.gov his 2009 tax returns. He made a mistake and did not "flatten" the PDF computer file, so anyone with Adobe Illustrator could see the whole file and all the changes in the file. On IRS Form 709 Obama posted full, unredacted Connecticut Social Security number xxx-xx-4425, which he is using.

14. Taitz could immediately see that Obama is using a stolen Social Security number, as it started with "042". Until Obama randomized Social Security numbers in 2011, those numbers were assigned by the state. The first three digits of the SSN signified the state. "042" was assigned to the state of Connecticut. Obama was never a resident of Connecticut. Obama claims to be born in Hawaii and residing in Hawaii till age 18. Obama claims that he started working at age 15 in Baskin Robbins in Honolulu, Hawaii, and as such he was supposed to have a Hawaiian Social Security number, not a Connecticut Social Security number. Form 709 with a stolen Connecticut Social Security number was personally signed by Barack Obama on April 7, 2010.

15. Seven hours after he posted aforementioned tax returns, Obama realized that he made a mistake and posted an unredacted version. He took down the tax returns and reposted a redacted, flattened, version at 6:17:52 pm on the same day, however, by then thousands of individuals downloaded the tax returns and, due to Obama's own actions, full unredacted Social Security number used by Obama, became a public knowledge and is now in public domain. Exhibit 1 contains verification of IT expert, Felicito Papa, who personally downloaded the returns.

16. Exhibit 2 is a sworn affidavit by researcher Linda Jordan, who ran e-verify under Social Security number that Obama listed on his tax returns. Attached Notice of Mismatch with Social Security Administration shows that there is a mismatch between the name Barak Obama and the Social Security number that Obama used on his 2009 tax return. The form states: "SSA record does not verify", which further proves Identity theft, Social Security fraud, IRS fraud by Obama due to his use of a stolen CT Social Security number.

17. Exhibit 3 shows February 9, 2011 e-mail sent to Taitz by Colonel Gregory Hollister. This e-mail contains an attached Social Security Number Verification System (SSNVS) report which shows that SSN xxx-xx-4425 used by Obama in his tax returns, was not assigned to Obama, report results state "Failed".

18. E-Verify and SSNVS are two government entities used to identify Social Security fraud and use of stolen Social Security number, show that Barack Obama is using a Social Security number, which was not assigned to him

19. Exhibit 4, sworn affidavit of investigator, Albert Hendershot, shows that according to Acxiom.com, Identity Solutions database, Connecticut Social Security number xxx-xx-4425 was assigned to Harrison (Harry) J. Bounel.

Further, the affidavit states that, according to Acxiom, the last change in the record of Harry Bounel's Social Security number was performed in 2009 by Michelle Obama who is listed as a relative of Harry Bounel. Attached response to FOIA request by SSA FOIA officer Dawn Wiggins states that numident of Harry Bounel cannot be provided due to privacy issues. Subsequently, Taitz filed a FOIA request for Bounel's SS-5, Social Security application, which SSA was obligated to provide, as Bounel was born over 120 years ago. After the request, SSA no longer claimed privacy, but claimed that they could no longer find Bounel's record in computerized database. SSA refused to provide a copy of the original paper record, original SS-5, Social Security application of Bounel.

20. Exhibit 5, Sworn affidavit of licensed investigator, Susan Daniels, attests to the fact that the Social Security number used by Barack Obama was issued in the state of Connecticut between 1977-1979 when Obama resided in the state of Hawaii. Attached report from SSN Verifier Plus database shows that there were two individuals using Connecticut Social Security number xxx-xx-4425. One date of birth is shown as 1890 and the other date of birth is shown as 1961.

21. Attachment "A" to Daniels' affidavit shows that Obama used more than one stolen Social Security number. Another such number was [REDACTED]5154, which was assigned to Lucille Ballantyne, born in 1912, deceased in 1998.

22. Importance of this particular number is in that Lucille Ballantyne was the mother of the Chief Actuary of the Social Security Administration, Harry C. Ballantyne, who had access to SSA databases and could make changes in the computerized records.

23. Plaintiff Taitz believes that Ballantyne was the SSA official, who aided and abetted Obama and possibly others in Social Security fraud and use of stolen Social Security numbers.

24. Taitz was able to obtain Ballantyne's home phone number, called him and questioned him about the evidence in databases showing Obama using his deceased mother's Social Security number. Ballantyne's response was: "They have no rights". Taitz asked: "Who has no rights?" Ballantyne responded: "Dead People have no rights". Ballantyne refused to provide more answers. Taitz believes that the response of Ballantyne is yet another indication of his complicity. A reasonable response of an individual who is not involved in this ID theft, would be one of anger, concern, outrage about misuse of one's

mother's Social Security number. Ballantyne's response did not sound like a response of an individual who is not involved in the scheme.

25. Obama's close friend and mentor, domestic terrorist Bill Ayers, openly wrote in his memoir "Fugitive Days" about his use of multiple stolen Social Security numbers and fabricated IDs. Taitz believes that the same individuals who assisted Ayers in obtaining stolen Social Security numbers and fabricated IDs, aided and abetted Obama in creation of a Social Security record based on a stolen Social Security number, as well as a fabricated Selective Service certificate, fabricated birth certificate and creating of bogus secondary IDs based on bogus primary IDs.

26. Exhibit 6 is a sworn affidavit of John Sampson, senior deportation officer of Immigration and Naturalization Services (INS), currently ICE. Sampson confirms that the Social Security number used by Obama was issued between 1976-1977 in the state of Connecticut. Sampson states that due to the fact that Obama was never a resident of Connecticut, there is evidence of Social Security fraud, which according to 42 USC 408(a)(7)(b) is felony punishable with fine and/or five years imprisonment.

27. Exhibit 7, January 2, 2013 sworn affidavit of Jeffrey Stephan Coffman, resident of Texas, former Investigator with the Office of Attorney General of Texas, retired Resident Agent in Charge/ Special Agent with the Department of Homeland Security and former Chief Investigator of the US Coast Guard investigative service, states that Barack Obama's Selective Service registration to the US military is fabricated as well, as it contains a fabricated 1980 cancellation US postal stamp and other irregularities.

28. Exhibit 8, passport records of Anne Dunham, Obama's mother, show that Obama's legal name as listed in his mother's records is "Soebarkah".

29. Exhibit 9, affidavit of Timothy Adams, clerk of the Office of the Registrar of the Honolulu county and city, states that it was a common knowledge in the Office of the Registrar that there are no records of Obama's birth in any hospital in Hawaii.

30. Exhibit 10, excerpt of the transcript of March 25, 2010 session of the Assembly of Kenya, contains a speech by James Orengo, Minister of Lands of Kenya. On page 31 of the transcript Orengo talks about multiculturalism and Obama's birth in Kenya: "If America was living in a situation where they feared ethnicity, and did not see itself as a multiparty state of nation, how could a

young man born here in Kenya, who is not even a native American, become the President of America?".

31. Exhibit 11, Obama's biography submitted by Obama to his literary agent in 1991 states that he was born in Kenya, not USA.

32. Affidavit of IT expert, Felicito Papa, states that Obama's alleged birth certificate is a forgery and it shows that it was computer generated by cutting and pasting from different documents and it opens in multiple layers, which were created by cutting and pasting, filling in separately different parts of the document. The signature of the attended physician and the signature of the registrar open in a separate layer from the rest of the document. Incidentally, Loretta Fuddy, former director of Health Department of Hawaii, who allegedly made a copy of the original birth certificate and hand delivered it to Obama's attorney Judith Corley, refused to comply with prior court subpoenas and refused to provide for examination the original birth certificate and a year after alleged release she died in a suspicious plane accident.

33. Affidavit of an expert, Douglas Vought, attests to the fact that Obama's birth certificate is a forgery.

34. Exhibit 14, an article of typesetting expert, Paul Irey, attests to the fact that Obama's birth certificate is a forgery, which contains letters and numbers of all different sizes and fonts.

35. Exhibits 15-23 further provide evidence of Obama's use of fabricated IDs and fraud in various IDs by Obama. Noteworthy, Exhibit 21, Obama's application to Illinois bar, where he is asked about any other names used before, and where Obama committed fraud by answering "None" and hiding his use of the last name Soetoro, under which he went to school in Indonesia (Exhibit 17) and his last name Soebarkah, which is listed in his mother's passport records (Exhibit 7).

36. Multiple assertions in Obama's official biography are contradicted by facts and documentary evidence. For example, Obama claimed to reside in Hawaii from his birth on August 4, 1961 to age six, when he and his mother and step father moved to Indonesia in 1961. However, his mother's college records show that in 1961-1962 she resided in Washington state and was a student of the University of Washington, not University of Hawaii, so she and her son did not reside in Hawaii.

More troubling is the fact that there is documentary evidence of two distinct, separate individuals; Barry Obama and Barry Soetoro. Barry Obama resided in Hawaii from 1967 till 1969 and Barry Soetoro, aka Barry Soebarkah resided in Indonesia from 1967-1969. According to Obama's official biography he resided in Indonesia from 1967 till 1971. However, articles and photographs by Scott Inoue, Obama's classmate at Noelani elementary school in Hawaii, show that Barack Obama resided in Hawaii from 1967-1969. Exhibit 23 shows Obama's photograph from Noelani elementary school in Honolulu Hawaii in 1969, yet exhibit 17 shows him already in Indonesia from 1967-1969, going under the last name Soetoro (his step-father's last name), listing his religion as Islam, not Christianity and, most importantly, listing his citizenship as Indonesian, not American. Account by Scott Inoue was confirmed by Saliah(Liah) Soetoro Sobah, foster child of Ann Dunham, who recalled that Barry did not come to Indonesia with his mother, that he came later. Liah Soetoro died under suspicious circumstances shortly before Obama's scheduled visit to Indonesia and scheduled reunion.

It appears that in 1969 Barry Obama moved to Indonesia and in 1971 one of these aforementioned two boys came back to the US. It is believed that the

boy, who came back, was Barry Soetoro, not Barry Obama, and he came using an immigrant visa issued to his step-father, Lolo Soetoro.

Similarly, according to Obama's official biography, he graduated from Columbia university in 1983 and resided in New York from 1981-1983.

However, there is no record of him residing in new York in 1981-1982 and attached Student Records obtained by Taitz from Student Clearing House (Exhibit 22) show him attending Columbia university only for 9 months, not 2 years as he claims. So, there is a third significant gap in his biography. This is a third instance of Obama not residing where he claims to reside: from June 1981 to September 1982 there is no record of Barack Obama or Barry Soetoro or Barry Soebarkah anywhere in the US. So, there is a legitimate question to be answered: who is this person, what is his legal name, what is his national allegiance and why is he lying about his whereabouts and his identity and why did he cover up his prior identity under the last names Soetoro and Soebarkah while applying to Illinois bar?

36. Based on all of the above, an individual with a stolen Social Security number and fabricated IDs, Barack Obama, aka Barack Obama Soebarkah, aka Barry Soetoro, set in motion policies, whereby multiple individuals, including

the plaintiff, became victims of egregious identity theft. Other policies are listed below.

37. US Border Patrol agents, who report groups of more than 20 individuals crossing the border, are being punished by the superiors and are being removed from the field duty or reassigned to low traffic area.

"“Agents who repeatedly reported groups larger than twenty faced retribution.” Border patrol agent Chris Cabrera testified to Congress this past week. Cabrera said border patrol agents who regularly reported groups of illegals larger than twenty were taken out of the field and assigned them to processing detainees. Or else the agents were assigned to low volume areas as punishment.

30,558 illegal alien criminals were released on the streets in America in 2013.

John Gihon, former senior ICE attorney, went on FOX and Friends Saturday to discuss this disturbing development. “*If their bosses are telling them to lie about the number of people crossing our border, this has to stop immediately. This is a national security issue.*” www.thegatewaypundit.com

So, there appears to be a conspiracy, where DHS superiors in high traffic areas, such as Texas, are preventing the border patrol agents in the field from apprehending illegal aliens, further, these illegal aliens are colluding with US criminals in obtaining stolen Social Security numbers and other IDs and the IRS officials are complicit by refusing to allow victims to obtain the information on

thieves who stole their IDs, Department of Justice and US Attorneys' offices are complicit by refusing to prosecute individuals who stole IDs and Social Security Administration officials are complicit by refusing to provide paper SS-5s, Social Security applications, when there is evidence of computer records being tampered with and falsified. As stated, evidence of this aggravated ID fraud is staggering: 6.5 million "active" Social Security numbers of people over 112 years old when there are only 40 individuals over 112 alive in the world. There are millions more Social Security numbers of individuals under 112, such as the plaintiff herein, whose Social Security numbers were stolen.

18 U.S. Code § 1028A - Aggravated identity theft

(a) Offenses.—

(1) In general.— Whoever, during and in relation to any felony violation enumerated in subsection (c), knowingly transfers, possesses, or uses, without lawful authority, a means of identification of another person shall, in addition to the punishment provided for such felony, be sentenced to a term of imprisonment of 2 years.

(2) Terrorism offense.— Whoever, during and in relation to any felony violation enumerated in section 2332b (g)(5)(B), knowingly transfers, possesses, or uses, without lawful authority, a means of identification of another person or a false identification document shall, in addition to the punishment provided for such felony, be sentenced to a term of imprisonment of 5 years.

(b) Consecutive Sentence.— Notwithstanding any other provision of law—

(1) a court shall not place on probation any person convicted of a violation of this section;

(2) except as provided in paragraph (4), no term of imprisonment imposed on a person under this section shall run concurrently with any other term of imprisonment imposed on the person under any other provision of law, including any term of imprisonment imposed for the felony during which the means of identification was transferred, possessed, or used;

(3) in determining any term of imprisonment to be imposed for the felony during which the means of identification was transferred, possessed, or used, a court shall not in any way reduce the term to be imposed for such crime so as to compensate for, or otherwise take into account, any separate term of imprisonment imposed or to be imposed for a violation of this section; and

(4) a term of imprisonment imposed on a person for a violation of this section may, in the discretion of the court, run concurrently, in whole or in part, only with another term of imprisonment that is imposed by the court at the same time on that person for an additional violation of this section, provided that such discretion shall be exercised in accordance with any applicable guidelines and policy statements issued by the Sentencing Commission pursuant to section 994 of title 28.

(c) Definition.— For purposes of this section, the term “felony violation enumerated in subsection (c)” means any offense that is a felony violation of—

(1) section 641 (relating to theft of public money, property, or rewards ^[1]), section 656 (relating to theft, embezzlement, or misapplication by bank officer or employee), or section 664 (relating to theft from employee benefit plans);

(2) section 911 (relating to false personation of citizenship);

- (3) section 922 (a)(6) (relating to false statements in connection with the acquisition of a firearm);
- (4) any provision contained in this chapter (relating to fraud and false statements), other than this section or section1028 (a)(7);
- (5) any provision contained in chapter 63 (relating to mail, bank, and wire fraud);
- (6) any provision contained in chapter 69 (relating to nationality and citizenship);
- (7) any provision contained in chapter 75 (relating to passports and visas);
- (8) section 523 of the Gramm-Leach-Bliley Act (15 U.S.C. 6823) (relating to obtaining customer information by false pretenses);
- (9) section 243 or 266 of the Immigration and Nationality Act (8 U.S.C. 1253 and 1306) (relating to willfully failing to leave the United States after deportation and creating a counterfeit alien registration card);
- (10) any provision contained in chapter 8 of title II of the Immigration and Nationality Act (8 U.S.C. 1321 et seq.) (relating to various immigration offenses); or
- (11) section 208, 811, 1107(b), 1128B(a), or 1632 of the Social Security Act (42 U.S.C. 408, 1011, 1307 (b), 1320a-7b(a), and 1383a) (relating to false statements relating to programs under the Act).

18 U.S. Code § 1028 - Fraud and related activity in connection with identification documents, authentication features, and information

- (a) Whoever, in a circumstance described in subsection (c) of this section—
- (1) knowingly and without lawful authority produces an identification document, authentication feature, or a false identification document;
 - (2) knowingly transfers an identification document, authentication feature, or a false identification document knowing that such document or feature was stolen or produced without lawful authority;
 - (3) knowingly possesses with intent to use unlawfully or transfer unlawfully five or more identification documents (other than those issued lawfully for the use of the possessor), authentication features, or false identification documents;
 - (4) knowingly possesses an identification document (other than one issued lawfully for the use of the possessor), authentication feature, or a false identification document, with the intent such document or feature be used to defraud the United States;
 - (5) knowingly produces, transfers, or possesses a document-making implement or authentication feature with the intent such document-making implement or authentication feature will be used in the production of a false identification document or another document-making implement or authentication feature which will be so used;
 - (6) knowingly possesses an identification document or authentication feature that is or appears to be an identification document or authentication feature of the United States or a sponsoring entity of an event designated as a special event of national significance which is stolen or produced without lawful authority knowing that such document or feature was stolen or produced without such authority;
 - (7) knowingly transfers, possesses, or uses, without lawful authority, a means of identification of another person with the intent to commit, or to aid or abet, or in connection with, any

unlawful activity that constitutes a violation of Federal law, or that constitutes a felony under any applicable State or local law; or

(8) knowingly traffics in false or actual authentication features for use in false identification documents, document-making implements, or means of identification;

shall be punished as provided in subsection (b) of this section.

(b) The punishment for an offense under subsection (a) of this section is—

(1) except as provided in paragraphs (3) and (4), a fine under this title or imprisonment for not more than 15 years, or both, if the offense is—

(A) the production or transfer of an identification document, authentication feature, or false identification document that is or appears to be—

(i) an identification document or authentication feature issued by or under the authority of the United States; or

(ii) a birth certificate, or a driver's license or personal identification card;

(B) the production or transfer of more than five identification documents, authentication features, or false identification documents;

(C) an offense under paragraph (5) of such subsection; or

(D) an offense under paragraph (7) of such subsection that involves the transfer, possession, or use of 1 or more means of identification if, as a result of the offense, any individual committing the offense obtains anything of value aggregating \$1,000 or more during any 1-year period;

(2) except as provided in paragraphs (3) and (4), a fine under this title or imprisonment for not more than 5 years, or both, if the offense is—

- (A) any other production, transfer, or use of a means of identification, an identification document,^[1] authentication feature, or a false identification document; or
 - (B) an offense under paragraph (3) or (7) of such subsection;
 - (3) a fine under this title or imprisonment for not more than 20 years, or both, if the offense is committed—
 - (A) to facilitate a drug trafficking crime (as defined in section 929 (a)(2));
 - (B) in connection with a crime of violence (as defined in section 924 (c)(3)); or
 - (C) after a prior conviction under this section becomes final;
 - (4) a fine under this title or imprisonment for not more than 30 years, or both, if the offense is committed to facilitate an act of domestic terrorism (as defined under section 2331 (5) of this title) or an act of international terrorism (as defined in section 2331 (1) of this title);
 - (5) in the case of any offense under subsection (a), forfeiture to the United States of any personal property used or intended to be used to commit the offense; and
 - (6) a fine under this title or imprisonment for not more than one year, or both, in any other case.
- (c) The circumstance referred to in subsection (a) of this section is that—
- (1) the identification document, authentication feature, or false identification document is or appears to be issued by or under the authority of the United States or a sponsoring entity of an event designated as a special event of national significance or the document-making implement is designed or suited for making such an identification document, authentication feature, or false identification document;

(2) the offense is an offense under subsection (a)(4) of this section; or

(3) either—

(A) the production, transfer, possession, or use prohibited by this section is in or affects interstate or foreign commerce, including the transfer of a document by electronic means; or

(B) the means of identification, identification document, false identification document, or document-making implement is transported in the mail in the course of the production, transfer, possession, or use prohibited by this section.

(d) In this section and section 1028A—

(1) the term “authentication feature” means any hologram, watermark, certification, symbol, code, image, sequence of numbers or letters, or other feature that either individually or in combination with another feature is used by the issuing authority on an identification document, document-making implement, or means of identification to determine if the document is counterfeit, altered, or otherwise falsified;

(2) the term “document-making implement” means any implement, impression, template, computer file, computer disc, electronic device, or computer hardware or software, that is specifically configured or primarily used for making an identification document, a false identification document, or another document-making implement;

(3) the term “identification document” means a document made or issued by or under the authority of the United States Government, a State, political subdivision of a State, a sponsoring entity of an event designated as a special event of national significance, a foreign government, political subdivision of a foreign government, an international governmental or an international quasi-governmental organization which, when completed with information concerning a particular individual, is

of a type intended or commonly accepted for the purpose of identification of individuals;

(4) the term "false identification document" means a document of a type intended or commonly accepted for the purposes of identification of individuals that—

(A) is not issued by or under the authority of a governmental entity or was issued under the authority of a governmental entity but was subsequently altered for purposes of deceit; and

(B) appears to be issued by or under the authority of the United States Government, a State, a political subdivision of a State, a sponsoring entity of an event designated by the President as a special event of national significance, a foreign government, a political subdivision of a foreign government, or an international governmental or quasi-governmental organization;

(5) the term "false authentication feature" means an authentication feature that—

(A) is genuine in origin, but, without the authorization of the issuing authority, has been tampered with or altered for purposes of deceit;

(B) is genuine, but has been distributed, or is intended for distribution, without the authorization of the issuing authority and not in connection with a lawfully made identification document, document-making implement, or means of identification to which such authentication feature is intended to be affixed or embedded by the respective issuing authority; or

(C) appears to be genuine, but is not;

(6) the term "issuing authority"—

(A) means any governmental entity or agency that is authorized to issue identification documents, means of identification, or authentication features; and

(B) includes the United States Government, a State, a political subdivision of a State, a sponsoring entity of an event designated

by the President as a special event of national significance, a foreign government, a political subdivision of a foreign government, or an international government or quasi-governmental organization;

(7) the term "means of identification" means any name or number that may be used, alone or in conjunction with any other information, to identify a specific individual, including any—

(A) name, social security number, date of birth, official State or government issued driver's license or identification number, alien registration number, government passport number, employer or taxpayer identification number;

(B) unique biometric data, such as fingerprint, voice print, retina or iris image, or other unique physical representation;

(C) unique electronic identification number, address, or routing code; or

(D) telecommunication identifying information or access device (as defined in section 1029 (e));

(8) the term "personal identification card" means an identification document issued by a State or local government solely for the purpose of identification;

(9) the term "produce" includes alter, authenticate, or assemble;

(10) the term "transfer" includes selecting an identification document, false identification document, or document-making implement and placing or directing the placement of such identification document, false identification document, or document-making implement on an online location where it is available to others;

(11) the term "State" includes any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any other commonwealth, possession, or territory of the United States; and

(12) the term "traffic" means—

- (A) to transport, transfer, or otherwise dispose of, to another, as consideration for anything of value; or
- (B) to make or obtain control of with intent to so transport, transfer, or otherwise dispose of.
- (e) This section does not prohibit any lawfully authorized investigative, protective, or intelligence activity of a law enforcement agency of the United States, a State, or a political subdivision of a State, or of an intelligence agency of the United States, or any activity authorized under chapter 224 of this title.
- (f) Attempt and Conspiracy.— Any person who attempts or conspires to commit any offense under this section shall be subject to the same penalties as those prescribed for the offense, the commission of which was the object of the attempt or conspiracy.
- (g) Forfeiture Procedures.— The forfeiture of property under this section, including any seizure and disposition of the property and any related judicial or administrative proceeding, shall be governed by the provisions of section 413 (other than subsection (d) of that section) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 853).
- (h) Forfeiture; Disposition.— In the circumstance in which any person is convicted of a violation of subsection (a), the court shall order, in addition to the penalty prescribed, the forfeiture and destruction or other disposition of all illicit authentication features, identification documents, document-making implements, or means of identification.
- (i) Rule of Construction.— For purpose of subsection (a)(7), a single identification document or false identification document that contains 1 or more means of identification shall be construed to be 1 means of identification.

Based on the above Defendants: President Obama, Commissioner of IRS, Acting Commissioner of Social Security (SSA) are complicit and aiding and abetting in aggravated identity theft.

By refusing to provide to Taitz and other victims, members of the proposed class, fraudulent IRS filings and fraudulent requests for tax refunds, Commissioner of IRS is complicit in the aggravated identity theft.

By refusing to provide paper applications (SS-5) when there is evidence that computer record of aforementioned SS-5 was fraudulently deleted or falsified, Acting Commissioner of SSA is complicit and aiding and abetting in aggravated identity theft, including but not limited to aggravated identity theft by Barack Hussein Obama, aka Barack Obama Soebarkah, aka Barry Soetoro, citizen of Indonesia, who is engaged in identity theft and fraudulently occupies the position of the US president by fraudulently asserting his eligibility and identity while using a stolen CT SSN xxx-xx-4425 and fabricated IDs.

Barack Hussein Obama, aka Barack Obama Soebarkah, aka Barry Soetoro, citizen of Indonesia, who is engaged in identity theft and fraudulently occupies the position of the US president by fraudulently asserting his eligibility and identity while using a stolen CT SSN xxx-xx-4425 and fabricated IDs. Due to the fact that defendant Obama is himself using a stolen Social Security number,

he pursues national policies of cover up of identity theft, which detrimentally affects the plaintiff and members of the proposed class.

**PETITION FOR STAY/EMERGENCY INJUNCTION BASED ON PART
1, IDENTITY THEFT**

In part 1 of this motion plaintiff is seeking the following injunctive relief:

INJUNCTIVE AND DECLARATORY RELIEF SOUGHT.

1. Order John Koskinen, commissioner of Social Security to release to Plaintiff Orly Taitz a copy of a fraudulent tax return and a fraudulent request for a refund filed with the IRS by a thief who fraudulently obtained and is using Taitz Social Security number.
2. Order John Koskinen, commissioner of Social Security, to release to plaintiffs, members of the proposed class of plaintiffs/victims of identity theft, a copy of fraudulent tax returns and requests for a refund filed with the IRS by thieves who are believed to be illegal aliens, mostly crossing the US border in Rio Grande area, and who are working with US members of the organized crime and some corrupt federal employees.
3. Due to the fact that, based on 2010 SSA guidelines, applications to Social Security Number of individuals born over 120 years ago, are considered ancient

records and are no longer withheld from disclosure under FOIA exemptions, and in order to stop theft of 6,5 million Social Security numbers of individuals born 120 years ago and earlier, and due to suspected falsification of computerized SSA records, order Caroline Colvin, acting commissioner of Social Security, to release to this court copies of all paper applications to SSN of individuals born 120 years ago and earlier.

4. Specifically, order Caroline Colvin, acting commissioner of SSA to release to this court for in camera examination by the court and selected experts the original SS-5, application to Connecticut Social Security SSN xxx-xx-4425, which was assigned to resident of Connecticut, born in 1890, believed to be Harrison (Harry) Bounel, who is presumed to be deceased, which in early 1980s was fraudulently assumed by the citizen of Indonesia Barack Hussein Obama, aka Barry Soetoro, aka Barack Obama Soebarkah.

5. Order Caroline Colvin, acting commissioner of SSA to release to the public a redacted application to Connecticut Social Security Number xxx-xx-4425, which was assigned to resident of Connecticut, born in 1890, believed to be Harrison (Harry) Bounel, who is presumed to be deceased, which in early 1980s was fraudulently assumed by the citizen of Indonesia Barack Hussein Obama, aka Barry Soetoro, aka Barack Obama Soebarkah.

6. Order Barack Obama, President of the United States, to provide to this court an explanation, why is he using a stolen Connecticut Social Security number xxx-xx-4425 issued to a resident of Connecticut, born in 1890 and presumed to be dead, why doesn't he have a valid Social Security number from the state of Hawaii, where he allegedly was born.

7. Order Barack Obama to respond to this court, why is he using a fabricated Selective Service registration with a fabricated 1980 cancellation postal stamp attached to it, as well as fabricated birth certificate, which opens in multiple digital layers and contains letters and numbers of all different fonts, sizes and colors.

BASED ON THE INJUNCTIVE RELIEF REQUIREMENTS

SET BY THE FIFTH CIRCUIT, STAY SHOULD BE GRANTED

As shown in the recent decision by the Fifth Circuit granting a stay in the Voter ID case

Voting for America, inc v Andrade 488 Fed.Appx. 890, Fifth Circuit looks at four parameters:

(1) whether the stay applicant has made a strong showing that he is likely to succeed on the merits; (2) whether the applicant will be irreparably injured absent a stay; (3) whether issuance of the stay will

substantially injure the other parties interested in the proceeding; and (4) where the public interest lies.

Stay/injunction in part 1 of the complaint should be granted as

Plaintiff has shown that she is likely to succeed on the merits. Based on IRS admission, Plaintiff is a victim of identity theft. Plaintiff is seeking a class certification of similar victims.

IRS is refusing to provide the victims with copies of fraudulent tax returns that were submitted under victims' Social Security numbers. This assures that thieves will continue to engage in identity theft and plaintiffs will continue suffer damages. Similarly, SSA is refusing to release the original SS-5, paper applications to SSA, while there is evidence of flagrant destruction and falsification of computerized records. By refusing the release of paper SS-5 applications SSA is aiding and abetting in identity theft including identity theft committed by Barack Obama in his use of a stolen CT SSN xxx-xx-4425.

As stated, plaintiffs, victims of identity theft and their heirs suffer and will continue suffering imminent damages and imminent loss if the identity theft is not stopped.

On the other hand, defendants cannot show any damages as there is no right or privilege in committing identity theft or aiding and abetting identity theft.

Granting an injunctive relief, as requested, is in public interest as it protects the public from identity theft.

Based on the above, the injunctive relief in part 1 of the petition should be granted as requested.

II. STATEMENT OF FACT IN RELATION TO GRANT OF BOGUS ASYLUM AND REFUGEE STATUS

On 02.17.2015 this court issued an injunction in *Texas v US* 14-cv-254, which stopped proposed Obama-amnesty for millions of illegal aliens. This order already did miracles and improved lives of at least half a million American workers. Within days after the injunction, as Wal-Mart saw that proposed amnesty is not happening and there is no chance for a flood of cheap labor, Wal-Mart raised wages to half a million of its American workers from \$7.25 to \$9.00, about 24% increase. This was an improvement in wages and income for 40% of its American work force. Target followed Walmart and other employers are expected to follow suit.

However, happiness was short lived. Only 3 days after the injunction in *Texas v US* 14-cv-254, a different judge, Obama appointee in Washington DC, Judge Jeffrey Baesberg, issued another injunction, which will to a great extent reverse the effect of the injunction issued by this court and will cause a flood of illegal immigration coming through US-Mexican border.

In a case *L-R et al v Jeh Johnson et al* 15-cv-11 JEB, which was hastily filed only last month, Judge Baesberg did something seemingly unconscionable, he enjoined and forbid DHS from considering an effect of release of illegal aliens from detention on the increase of border crossings. In short, this injunction de facto demands release of thousands of illegal aliens from detention, and DHS is forbidden to consider how this release will incentivize future illegal immigration, whether release of thousands of illegals will cause a new wave of illegal immigration. Judge Baesberg wrote that considering increase in illegal immigration in a decision whether to release an illegal alien from custody sends a wrong message: “to send a message that such immigrants, coming *en masse*, are unwelcome.” *id* L-R v Johnson Injunction order. This decision is unthinkable as en masse violations of our border and sovereignty are indeed unwelcome, to say the least.

Going back to British common law, our system of justice functioned based on two principals, two pillars: punishment for crimes committed and punishment as a deterrent to new crimes. To state that the government is not allowed to consider how release of illegals from custody will affect illegal immigration in the future, is equal to telling a judge that he is not allowed to consider future increase in theft, robbery and murders, when he considers sentencing for thieves, robbers and murderers.

Current order eviscerated one of these 2 principals of the system of justice, crime deterrent.

This order created a new reality, which does not take into consideration negative results of this order on the community, on members of the community, who are affected by this order, on American tax-payers and American workers.

Plaintiff is bringing this petition for stay in order to stop these detrimental effect of this injunction on her and seeking a class certification for all similarly situated individuals.

INJUNCTIVE AND DECLARATORY RELIEF SOUGHT IN PART 2.

1. Declaratory relief confirming prior DHS guidelines of eligibility for asylum, which include asylum based on political and religious persecutions and does not include asylum based on domestic violence in the country of origin.
2. Denial of asylum, turnaround and fast track deportation of thousands of illegal aliens, who were not persecuted due to religious and political reasons and who are currently seeking asylum in the United States simply because of their allegations that they had abusive boyfriends or husbands in the countries of origin. There are millions of women around the world who have abusive boyfriends. This is a local police matter and social services matter in the countries of origin, this is not a basis for asylum in the US.

3. Turnaround and fast track deportation of individuals, who illegally crossed the border and do not have vaccination records and TB test results from the countries of origin and who represent public health risk.
4. Due to threat of crime, gang violence and terrorism, an order for DHS to obtain proof of identity and criminal records of the detainees from the country of origin prior to release of illegal aliens from the detention centers into communities.
5. Demand of bond/bail to be posted in every case of release from detention.
6. An order to DHS to publish *Flores v Reno* stipulation, which was supposed to be published 10 years ago and which was supposed to end en masse release from deportation of thousands of minor illegal aliens.

**PLAINTIFF WILL SUFFER IRREPARABLE HARM IF APPLICATION
FOR STAY/INJUNCTION IS NOT GRANTED**

8 USC 1158 Asylum states:

(a) Authority to apply for asylum

(1) In general

Any alien who is physically present in the United States or who arrives in the United States (whether or not at a designated port of arrival and including an alien who is brought to the United States after having been interdicted in international or United States waters), irrespective of such alien's status, may apply for asylum in accordance with this section or, where applicable, section 1225 (b) of this title.

(2) Exceptions

(A) Safe third country

Paragraph (1) shall not apply to an alien if the Attorney General determines that the alien may be removed, pursuant to a bilateral or multilateral agreement, to a country (other than the country of the alien's nationality or, in the case of an alien

having no nationality, the country of the alien's last habitual residence) in which the alien's life or freedom would not be threatened on account of race, religion, nationality, membership in a particular social group, or political opinion, and where the alien would have access to a full and fair procedure for determining a claim to asylum or equivalent temporary protection, unless the Attorney General finds that it is in the public interest for the alien to receive asylum in the United States.

(B) Time limit

Subject to subparagraph (D), paragraph (1) shall not apply to an alien unless the alien demonstrates by clear and convincing evidence that the application has been filed within 1 year after the date of the alien's arrival in the United States.

(C) Previous asylum applications

Subject to subparagraph (D), paragraph (1) shall not apply to an alien if the alien has previously applied for asylum and had such application denied.

(D) Changed circumstances

An application for asylum of an alien may be considered, notwithstanding subparagraphs (B) and (C), if the alien demonstrates to the satisfaction of the Attorney General either the existence of changed circumstances which materially affect the applicant's eligibility for asylum or extraordinary circumstances relating to the delay in filing an application within the period specified in subparagraph (B).

(E) Applicability

Subparagraphs (A) and (B) shall not apply to an unaccompanied alien child (as defined in section 279 (g) of title 6).

(3) Limitation on judicial review

No court shall have jurisdiction to review any determination of the Attorney General under paragraph (2).

(b) Conditions for granting asylum

(1) In general

(A) Eligibility

The Secretary of Homeland Security or the Attorney General may grant asylum to an alien who has applied for asylum in accordance with the requirements and procedures established by the Secretary of Homeland Security or the Attorney General under this section if the Secretary of Homeland Security or the Attorney General determines that such alien is a refugee within the meaning of section 1101 (a)(42)(A) of this title.

(B) Burden of proof

(i) In general The burden of proof is on the applicant to establish that the applicant is a refugee, within the meaning of section 1101 (a)(42)(A) of this title. **To establish that the applicant is a refugee within the meaning of such section, the**

applicant must establish that race, religion, nationality, membership in a particular social group, or political opinion was or will be at least one central reason for persecuting the applicant. (emphasis added)

So, based on 8 USC 1158, in order to claim asylum or refugee status, " the applicant must establish that race, religion, nationality, membership in a particular social group, or political opinion was or will be at least one central reason for persecuting the applicant."

Nowhere does it state that domestic violence or abusive boyfriend is a legitimate reason for granting an asylum or refugee status.

As such, we got a quarter of a million people, who arrived from Central America during 2014 surge and illegally crossed into the US, many are now in detention facilities in Southern Texas, now they will be released from detention based on *L-R- v Johnson* injunction coming from DC, and none of them have a legitimate reason to stay in the US and as such none of them can show any hardship if the court issues a declaratory and injunctive order as requested.

PLAINTIFF SEEKS AN INJUNCTION TO STOP THE IRREPARABLE HARM WHICH INCLUDES:

- a. Imminent threat of infectious diseases. As a result of 02.20.2015 injunction issued in *L-R- v Johnson* 15-cv-11, DHS is no longer allowed to consider crime prevention aspect, not allowed to consider how release of thousands of illegal

aliens will encourage further mass illegal immigration, as such, DHS will be forced to release thousands of illegal aliens from detention. According to the Inspector General of DHS, many of these unaccompanied minors and family units carry multiple infectious diseases, among them deadly Tuberculosis, other respiratory diseases, chicken pox, lice, scabies and other infectious diseases.

Plaintiff is a Doctor of Dental surgery, residing in a border state, who works in government programs where she is providing care to multiple immigrants who are referred to her through those programs. Majority of these illegal aliens cross the US-Mexican border in the Rio Grande Area in TX and they are currently detained in several DHS detention facilities in Southern Texas. Mass release, which is imminent based on *L-R-v Johnson injunction ruling*, will place her and similarly situated members of the class: doctors, dentists, nurses, care givers in imminent risk of infection. This will be an imminent irreparable harm for the plaintiff and similarly situated individuals, members of the proposed class.

- b. Further, plaintiff will suffer irreparable harm as a tax payer. Under *Flast v Cohen* 393 US 83 (1968) , plaintiff has a judicially cognizable right as a tax payer. Many of the illegal aliens, who are expected to be released are indigent. Majority of these individuals broke into the US during 2014 surge, as a result of enticement of 2012 and 2014 DACA programs. As such, as a tax payer, she will suffer an immediate irreparable harm as these illegal aliens will cost

billions of dollars in cost for their education, health care, per capita cost of additional police, firefighters, paramedics and other municipal, county and social services. During the surge some 60 thousand unaccompanied minors and 66 thousand family units illegally crossed the border and the cost of social services for these individuals is an irreparable harm to the tax payers. Recently, this court granted standing to the states in *Texas v US 14-cv-254*. The court argued that the cost of drivers license, which the states will have to pay for illegal aliens as a result of the Obama-amnesty, will be sufficient to award standing. So, based on this premise, plaintiff and proposed members of the class of American tax-payers have a much stronger standing and more significant injuries.

Based on 02.20.2015 *L-R v Johnson* decision, thousands of illegal aliens, who are now in detention camps in South Texas and who petition for asylum due to domestic violence, will be released from detention. All of these family units have minor children. So, let us compare the costs. The states will have a damage of maybe \$50 per drivers license per illegal alien. On the other hands the plaintiff herein as well as proposed members of the class of tax -payers will end up paying billions of dollars. Let's take education. All of these illegal aliens will receive free education. It costs roughly \$5,000 per student per year. For 12 years of school the tax payers will have to shell out \$60,000 (\$5,000 times 12).

On top of that many states, including Texas and California provide illegal aliens with tax payer subsidized tuition in state universities. This amounts to some \$10,000 per year or \$40,000 for four years. The tax payers will have to pay a total of \$100,000 per illegal alien minor for education alone, not counting health care, housing, food stamps, additional expenses on police, fire fighters and so on. When you compare \$50 that the state pays for drivers licenses to \$100,000 the tax payers pay for the education of illegal aliens, you will see that the tax payers are spending 2,000 times more than the states on education alone. This represents irreparable harm to tax payers. Tax payers will not be able to receive restitution from the illegal aliens, as they are indigent, so the only way to stop this massive theft of tax payers' money is via injunction, as requested.

c. As an American worker she has a judicially cognizable competitive standing and will suffer irreparable harm. According to 2009 report of the Inspector General of DHS, on a daily bases there are 32,000 illegal aliens in DHS custody. This means that millions of individuals will be released from custody and will flood the US labor markets lowering the wages and average family incomes of American citizens. This constitutes an irreparable harm.

**DEFENDANTS CANNOT SHOW ANY HARM BY THE REQUESTED
INJUNCTION AND BALANCE OF HARSHIPS IS IN FAVOR OF THE**

PLAINTIFF

This case stems from *L-R v Johnson* 15-cv-11 JEB USDC District of Columbia.

As a result of this case Judge Boasberg in USDC issued an injunction forbidding DHS from considering effect of release of illegal aliens from detention on an increase of illegal immigration, which de facto gives a green light to illegal immigration.

In L-R the court created a class of plaintiffs based on the standing of the named plaintiffs, whose real names were actually sealed and who went by initials only. The lead plaintiff went by initials L-R.

Injunction in L-R v Johnson was issued based on a complaint of plaintiffs who did not have standing and whose case was moot ab initio.

L-R v Johnson was filed on behalf of four illegal alien women and their six minor children. The shocking truth is that the case was moot ab initio and there was no case of controversy and hence no jurisdiction in the court to begin with. L-R was filed in January 2015, plaintiffs sought a change in detention, however all of the plaintiffs in the case were released from detention prior to filing of the case. None of the named plaintiffs were in detention and the case was moot and had to be dismissed as such. Shockingly, the court in L-R allowed the case to go on and issued an injunction.

Further, all of the plaintiffs in L-R filed a wrongful claim for asylum.

8 USC 1158 which describes legitimate reasons for asylum, as well as DHS's own web site and precedents show that asylum is given to individuals who are persecuted in their country of origin due to their religious or political affiliation and asylum is the only way to end this persecution.

For example, recently twenty one Coptic Christians were beheaded in Libya merely based on the fact that they are Christians.

Christians from predominantly Muslim countries would be eligible for asylum, as they are persecuted on religious basis.

During World War II Jews escaping NAZI Germany sought asylum in the US. They were persecuted based on their religion and ethnicity and they could not escape persecution by moving to another street or another city within Germany. They were not harmed by an individual, they were persecuted by the regime as a whole and were eligible for asylum.

Political dissidents from the former Communist Soviet Union and from the Communist China sought and received asylum in the US, as they were persecuted by the regime as a whole.

L-R is completely different. Plaintiffs in L-R are three women from El Salvador and one woman from Honduras and their six children.

There is no religious prosecution in those countries. As a matter of fact, Central America is a homogeneous Christian Catholic region with no known religious persecution and the plaintiffs do not claim religious prosecution.

Similarly, there is no political prosecution in those countries and the plaintiffs do not even claim one.

There is no surge in crime in general in Central America and, as a matter of fact, there is a reduction in crime. Plaintiffs in L-R did not even claim general elevation of crime in the area.

All of these four women made a poor choice in boyfriends and they alleged that their boyfriends were abusive.

First of all, these boyfriends are not here to provide their side of the story and we do not know if any abuse ever happened.

Even if one were to assume that these women chose to be with macho abusive boyfriends and abuse happened, that has nothing to do with the asylum in the US and it is not a legitimate reason for asylum. Who is to say that these women will not make similarly poor choices and will not pick macho abusive boyfriends in the

US? What will they do, if their boyfriends in the US will be abusive? Will they move north and seek asylum in Canada? What if they pick abusive boyfriends in Canada, will they move to the North Pole?

Asylum in the US is given when there is no solution in the country of origin and asylum in the US will solve the problem of persecution, which cannot be solved in the country of origin. This is not the case in relation to plaintiffs in L-R, this is not the case for illegal aliens, who are currently flooding into the US and coming mostly from the Central America and located in detention centers in Southern Texas.

Both El Salvador and Honduras, the countries of origin of these women, have police, have social services and these women can seek relief in the countries of origin. As a matter of fact, during the 2014 surge the first lady of Honduras traveled to the US and pleaded with these women to go back to Honduras and promised help. Similarly, the President of El Salvador promised help to El Salvadorian ex pats, who were flooding the US. Proper resolution of domestic violence situation is in moving out of the house, away from an abusive boyfriend, maybe, to a different community. Often, women who are abused by their boyfriends, suffer from poor self esteem and they go from one abusive relationship to another. Moving to US will not solve the problem of poor self esteem. These women are likely to end up in an abusive relationship in the US, just

as they did in el Salvador or Honduras. American tax payer cannot possibly pay for free education, health care and social needs of all the women from around the globe who allege that they are in an abusive relationship with their boyfriend. Additionally, US tax payers cannot pay for all the education, health care and social needs of all the minor children of these women.

Moreover, there was no "epidemic" of domestic violence in Central America between 2012- 2014. What happened during that time, was a lawless order by Barack Obama and Secretary of DHS Napolitano and later Secretary of DHS Jeh Johnson to provide deferral from deportation, temporary legal status in the US, work permits, Social Security cards and other benefit to illegal aliens who came to US illegally. This became an incentive to mass violation of the US border and US sovereignty, as thousands of illegal aliens, who were either minors or mothers with minor children, invaded US en mass hoping to get legal status under DACA or under expected expansion of DACA. Some 60 thousand minors, mostly ages 15-18, and some 66,000 family units invaded the US and became a burden on US taxpayers. Family units typically consist of three people: a mother and a couple of children. So, these family units, that crossed the US, amounted to some 180,000 people. This, added to 60,000 unaccompanied minors added up to a quarter of a million people, who invaded the US illegally seeking better economic conditions. Even minimum wage in the US which is currently \$7.25 is 7-10 higher than the

wages in poor third world nations of Central America and that represent the real reason for this mass invasion. Many of these illegal aliens used the services of "Coyotes", of drug cartels, who smuggled these individuals into the US. Typically, cartels charged these illegal aliens \$5,000-\$10,000 for smuggling and often the very boyfriends and husbands, who are alleged abusers, were the ones who paid the cartels to smuggle their wives and children and later use them as anchors to bring in the husbands and the extended families.

Furthermore, domestic violence, is something that happens in the US as well. Moving to the United States does not prevent domestic violence.

One of the plaintiffs in L-R sought asylum because her boyfriend was in a gang, however there are gangs in the US as well. As a matter of fact, there are more gang members in Los Angeles or Chicago than in the whole of Central America. Additionally, Central American gangs are offshoots of the US gangs, which spread to Central America in search of drug trafficking and distribution channels. As such, asylum will not alleviate the problem.

Not considering effect of the release of these illegal aliens on increased border violations is simply unconscionable. Additionally, it rewards the cartels and encourages more cartel operations.

INJUNCTION IS IN PUBLIC INTEREST

Application for Stay /injunction is in public interest for following reasons:

a. Spread of infectious diseases. As a result of 02.20.2015 injunction issued in *L-R v Johnson* 15-cv-11, DHS is no longer allowed to consider crime prevention aspect, not allowed to consider how release of thousands of illegal aliens will encourage further mass illegal immigration, as such, DHS will be forced to release thousands of illegal aliens from detention. According to the Inspector General of DHS, many of these unaccompanied minors and family units carry multiple infectious diseases, among them deadly Tuberculosis, other respiratory diseases, chicken pox, lice, scabies and other infectious diseases. Plaintiff is a Doctor of Dental surgery, residing in a border state, who works in government programs where she is providing care to multiple immigrants who are referred to her through those programs. Majority of these illegal aliens cross the US-Mexican border in the Rio Grande Area in TX and they are currently detained in several DHS detention facilities in Southern Texas. Mass release, which is imminent based on L-R-v Johnson injunction ruling, will place her and similarly situated members of the class: doctors, dentists, nurses, care givers in imminent risk of infection. This will be an imminent irreparable harm for the plaintiff.

b. Further, plaintiff will suffer irreparable harm as a tax payer. Under Flast v Cohen, plaintiff has a judicially cognizable right as a tax payer. Many of the illegal aliens, who are expected to be released are indigent. Majority of these individuals broke into the US during 2014 surge, as a result of enticement of 2012 and 2014 DACA programs. As such, as a tax payer, she will suffer an immediate irreparable harm as these illegal aliens will cost billions of dollars for their education, health care, per capita cost of additional police, firefighters, paramedics and other municipal, county and social services. During the surge some 60 thousand unaccompanied minors and 66 thousand family units illegally crossed the border and this is an irreparable harm to the tax payers.

c. As an American worker she has a judicially cognizable standing and will suffer irreparable harm. according to 2009 report of the Inspector General of DHS, on a daily bases there are 32,000 illegal aliens in DHS custody. this means that millions of individuals will be released from custody and will flood the US labor markets lowering the wages and average family incomes. This constitutes an irreparable harm.

**PETITION FOR STAY IN REGARDS TO BOGUS GRANT OF
REFUGEE STATUS**

Further, it was reported that Obama administration has granted an asylum and refugee status a large number of Muslim immigrants.

Reportedly, during Obama administration Muslim population tripled.

Among these Muslim refugees are reported 70,000 refugees from Syria.

However, majority of Muslim Syrian refugees have settled in Turkey.

In 2013-2014 Recep Erdogan, President of Turkey, did what Barack Obama is trying to do in the US.

Erdogan, who is a radical Muslim, sought to rig 2014 elections in his favor and swiftly granted Turkish citizenship and voting rights to refugees from Syria, who were expected to vote for Erdogan in return.

So, even if these individuals from Syria used to be refugees at some point in the past, after the President of Turkey granted them the Turkish citizenship, they are no longer refugees from Syria, they are no longer considered refugees.

The same people cannot be used to influence elections in two countries: both Turkey and the US.

Similarly, Obama administration is bringing "refugees" from Iraq.

As a doctor, working with immigrants, Taitz interacts with these individuals. Large number of these refugees from Iraq and other Muslim countries used to be refugees , however they settled in other countries, where they speak the language of the host country, Arabic, where children attend schools and where the parents work, gainfully employed. After these individuals settled in other countries in the region, they are no longer refugees. Plaintiff believes that President Obama is directing policies of considering these individuals as refugees because of his personal beliefs and because he feels that they will vote for the specific party, Democratic party, not because they are actually eligible. Secretary of DHS, Jeh Johnson, is implementing those policies. again, plaintiff directs the court to Exhibit 17, Obama's school registration from Jakarta, Indonesia, his citizenship is listed as Indonesian, religion Muslim.

Plaintiff incorporates by reference the argument provided in the prior paragraphs in regards to Central American refugee and asylum seekers. Granting of bogus refugee status to individuals coming from the Middle East will cause the same hardship to the plaintiff and the proposed class of the tax payers.

Individuals affected by the stay cannot show hardship as they were never entitled to a bogus refugee status.

Requested stay will be in public interest as it will alleviate an enormous burden on the public, on the tax payers, brought about by the grant of refugee status to thousands of individuals who are not eligible.

**PETITION UNDER 18 USC 3332 FOR THE COURT TO FORWARD TO
THE FEDERAL GRAND JURY EVIDENCE OF OFFENSES BY THE
DEFENDANTS AGAINST CRIMINAL STATUTES OF THE US**

Defendants' behavior is so flagrantly lawless and criminal that not only this court should grant this emergency application for STAY, but is should forward evidence provided in this case to the Federal Grand jury convened in the Southern District of Texas for criminal investigation under 18 U.S.C. 3332 which states: **(a)** It shall be the duty of each such grand jury impaneled within any judicial district to inquire into offenses against the criminal laws of the United States alleged to have been

committed within that district. **SUCH ALLEGED OFFENSES MAY BE BROUGHT TO THE ATTENTION OF THE GRAND JURY BY THE COURT** "emphasis added.

In *In Re Grand Jury Application*, 617 F. Supp. 199 – Dist. Court, SD New York 1985, the Judge observed that Plaintiffs have urged me to request the grand jury to hear their evidence against the defendants. Although a judge may present evidence to a grand jury both under common law, see O'Bryan v. Chandler, 352 F.2d 987 (10th Cir. 1965), and pursuant to the language of 18 U.S.C. § 3332(a), I decline to do so. The legislative history of Section 3332(a) suggests that Congress envisioned the United States Attorney's office as the primary channel of information to the grand jury. In a busy district such as this, moreover, it is the United States Attorney and not the individual district judge who is familiar with, and in fact sets, the schedules of the grand juries which have been impaneled in the district. Any effort by myself to bring plaintiffs' information to the attention of a grand jury would necessarily be channeled through the United States Attorney.

In O'BRYAN v. Chandler, 352 F. 2d 987 – Court of Appeals, 10th Circuit 1965, the Judge found that

The grand jury was regularly convened in the United States District Court for the Western District of Oklahoma, of which Judge Chandler was the Chief Judge. Acting in that capacity, he had 990*990 qualified the grand jury, designated its

foreman and deputy foreman, and submitted to it the usual instructions. It was an appendage to the court over which he presided. Brown v. United States, 359 U.S. 41, 79 S.Ct. 539, 3 L.Ed.2d 609, rehearing denied 359 U.S. 976, 79 S.Ct. 873, 3 L.Ed.2d 843. The O'Bryan claim had been heard by Judge Chandler in a proceeding pending in his court; that he strongly suspected irregularity in the filing of that claim is understandable. The propriety of his expressions of opinion as to O'Bryan's guilt is questionable; still, the Judge had the power and jurisdiction not only to call attention to what he thought was a violation of the law, but also to direct that available evidence be presented to the grand jury. Arbor v. Blue, 10 Cir., 45 F.2d 746.

Based on the above precedents both under common law and under 18 USC(a) this court has jurisdiction to forward to the grand jury evidence of offenses against criminal laws of the US, which include identity theft and use of stolen Social Security numbers. While ordinarily such criminal offenses are presented to the grand jury by the US Attorneys, we have seen that during this administration the US Attorneys consistently refused to prosecute identity theft, specifically use of stolen Social Security numbers by illegal aliens. This appears to be the general policy coming from the top, from the Attorney General Erick Holder and President Obama, specifically in light of Obama's own use of a stolen CT SSN xxx-xx-4425 as his own. In this situation the court cannot rely on the US Attorney

to forward this information to the grand jury and as such under the 18 USC 3332 and aforementioned precedents this court has not only the jurisdiction, but also the duty to forward this information to the grand jury for criminal investigation and prosecution.

PRAYER FOR RELIEF

INJUNCTIVE AND DECLARATORY RELIEF SOUGHT.

1. Order John Koskinen, commissioner of Social Security to release to Plaintiff Orly Taitz a copy of a fraudulent tax return and a fraudulent request for a refund filed with the IRS by a thief who fraudulently obtained and is using Taitz Social Security number
2. Order John Koskinen, commissioner of Social Security, to release to plaintiffs, members of the proposed class of plaintiffs/victims of identity theft, a copy of fraudulent tax returns and requests for a refund filed with the IRS by thieves who are believed to be illegal aliens, mostly crossing the US border in Rio Grande area, and who are working with US members of the organized crime and some corrupt federal employees.
3. Due to the fact, that based on 2010 SSA guidelines, applications to Social Security Number of individuals born over 120 years ago, are considered ancient

records and are no longer withheld from disclosure under FOIA exemptions, and in order to stop theft of 6.6 million Social Security numbers of individuals born 120 years ago and earlier, and due to suspected falsification of computerized SSA records, order Caroline Colvin, acting commissioner of Social Security, to release to this court copies of all paper applications to SSN of individuals born 120 years ago and earlier.

4. Specifically, order Caroline Colvin, acting commissioner of SSA to release to this court for in camera examination by the court and selected experts the original application to Connecticut Social Security SSN xxx-xx-4425, which was assigned to resident of Connecticut, born in 1890, believed to be Harrison (Harry) Bounel, who is presumed to be deceased, which in early 1980s was fraudulently assumed by the citizen of Indonesia Barack Hussein Obama, aka Barry Soetoro, aka Barack Obama Soebarkah.

5. Order Caroline Colvin, acting commissioner of SSA to release to the public a redacted application to Connecticut Social Security Number xxx-xx-4425, which was assigned to resident of Connecticut, born in 1890, believed to be Harrison (Harry) Bounel, who is presumed to be deceased, which in early 1980s was fraudulently assumed by the citizen of Indonesia, Barack Hussein Obama, aka Barry Soetoro, aka Barack Obama Soebarkah.

6. Order Barack Obama, President of the United States, to provide to this court an explanation, why is he using a stolen Connecticut Social Security number xxx-xx-4425 issued to a resident of Connecticut, born in 1890 and presumed to be dead, why doesn't he have a valid Social Security number from the state of Hawaii, where he allegedly was born.

7. Order Barack Obama to provide to this court, why is he using a fabricated Selective Service registration with a fabricated 1980 cancellation postal stamp attached to it, as well as fabricated birth certificate which opens in multiple digital layers and contains letters and numbers of all different fonts, sizes and colors.

8. Declaratory relief confirming prior DHS guidelines of eligibility for asylum, which include asylum based on political and religious persecutions and does not include asylum based on domestic violence in the country of origin.

9. Turnaround and fast track deportation of thousands of illegal aliens, who were not persecuted due to religious and political reasons and who are currently seeking asylum in the United States simply because of their allegations that they had abusive boyfriends or husbands in the countries of origin. There are millions of women around the world who have abusive boyfriends. This is a

local police matter and social services matter in the countries of origin, this is not a basis for asylum in the US.

10. Turnaround and fast track deportation of individuals, who illegally crossed the border and do not have vaccination records and TB test results from the countries of origin and represent public health risk.

11. Due to threat of crime, gang violence and terrorism DHS will be required to obtain proof of identity and criminal records of the detainees from the country of origin prior to release of illegal aliens from the detention centers into communities.

12. Forward to the Federal Grand Jury, convened in the Southern District of Texas, information presented herein in regards to offenses by the defendants against the US criminal statutes per 18 USC 3332.

Respectfully submitted,

/s/ Dr. Orly Taitz ESQ

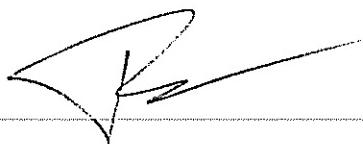
03.21.2015

A handwritten signature in black ink, appearing to read "Orly Taitz", is written over a diagonal line. To the left of the signature, the text "/s/ Dr. Orly Taitz ESQ" is printed.

Declaration of Orly Taitz

Documents attached as exhibits herein are true and correct copy of such documents provided to me by government officials and experts listed in the pleadings

/s/ Orly Taitz

A handwritten signature in black ink, appearing to read "Orly Taitz".

03.21.2015